

## DOCUMENT RESUME

ED 124 117

IR 003 502

AUTHOR Pastore, John O.  
TITLE H.R. 9630: An Act to Extend the Educational Broadcasting Facilities Program and to Provide Authority for the Support of Demonstrations in Telecommunications Technologies for the Distribution of Health, Education, and Public or Social Service Information, and for Other Purposes. Ninety-Fourth Congress, Second Session.  
INSTITUTION Congress of the U.S., Washington, D.C. Senate Committee on Commerce.  
REPORT NO. COC-R-94-813  
PUB DATE 1st May 76  
NOTE 10p.; Calendar No. 772; Report No. 94-813; For a related document see IR 003 503  
EDRS PRICE MF-\$0.83 HC-\$1.67 Plus Postage.  
DESCRIPTORS Broadcast Industry; \*Educational Television; \*Facility Planning; \*Federal Legislation; Health Services; Information Dissemination; Social Services; \*Telecommunication  
IDENTIFIERS Educational Broadcasting Facilities Program

## ABSTRACT

The Senate Committee on Commerce reported H.R. 9630 out of committee with an amendment that would extend the educational broadcasting facilities program. The act would provide authority for the support of demonstrations in telecommunications technologies for the distribution of health, education, and public or social service information, and for other purposes. The Act, cited as the Educational Broadcasting Facilities and Telecommunications Demonstration Act of 1976, provides for matching grants in the construction of non-commercial educational television or radio broadcasting facilities. (HAB)

\*\*\*\*\*  
\* Documents acquired by ERIC include many informal unpublished \*  
\* materials not available from other sources. ERIC makes every effort \*  
\* to obtain the best copy available. Nevertheless, items of marginal \*  
\* reproducibility are often encountered and this affects the quality \*  
\* of the microfiche and hardcopy reproductions ERIC makes available \*  
\* via the ERIC Document Reproduction Service (EDRS). EDRS is not \*  
\* responsible for the quality of the original document. Reproductions \*  
\* supplied by EDRS are the best that can be made from the original. \*  
\*\*\*\*\*

Calendar No. 772

94TH CONGRESS  
2D SESSION

# H. R. 9630

[Report No. 94-813]

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1976

Read twice and referred to the Committee on Commerce

MAY 11, 1976

Reported by Mr. PASTORE, with an amendment

[Insert the part printed in *italic*]

U S DEPARTMENT OF HEALTH,  
EDUCATION & WELFARE  
NATIONAL INSTITUTE OF  
EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

## AN ACT

To extend the Educational Broadcasting Facilities Program and to provide authority for the support of demonstrations in telecommunications technologies for the distribution of health, education, and public or social service information, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled;*  
3 That this Act may be cited as the "Educational Broadcast-  
4 ing Facilities and Telecommunications Demonstration Act of  
5 1976".

### PURPOSE

6  
7 SEC. 2. (a) Part IV of title III of the Communications  
8 Act of 1934 is amended by striking out the heading of such

II

1 part and inserting in lieu thereof "ASSISTANCE FOR NON-  
 2 COMMERCIAL EDUCATIONAL BROADCASTING FACILITIES;  
 3 TELECOMMUNICATIONS DEMONSTRATIONS; CORPORATION  
 4 FOR PUBLIC BROADCASTING".

5 (b) Subpart A of such part is amended by striking out  
 6 the heading of such subpart and inserting in lieu thereof  
 7 "ASSISTANCE FOR NONCOMMERCIAL EDUCATIONAL BROAD-  
 8 CASTING FACILITIES AND TELECOMMUNICATIONS DEMON-  
 9 STRATIONS".

10 (c) Section 390 of such Act is amended to read as  
 11 follows:

12 "DECLARATION OF PURPOSE

13 "SEC. 390. The purposes of this subpart are (1) to  
 14 assist (through matching grants) in the construction of non-  
 15 commercial educational television or radio broadcasting  
 16 facilities, and (2) to demonstrate (through grants or con-  
 17 tracts) the use of telecommunications technologies for the  
 18 distribution and dissemination of health, education, and other  
 19 public or social service information."

20 "AUTHORIZATION OF APPROPRIATIONS-

21 SEC. 3. Section 391 of the Communications Act of 1934  
 22 is amended to read as follows:

23 "SEC. 391. There are authorized to be appropriated  
 24 \$7,500,000 for the period July 1, 1976, through Septem-  
 25 ber 30, 1976, and \$30,000,000 for the fiscal year ending

2003 2004

1 September 30, 1977, to assist (through matching grants) in  
 2 the construction of noncommercial educational television or  
 3 radio broadcasting facilities as provided in this subpart.  
 4 Sums appropriated under this section for any fiscal year or  
 5 period shall remain available for payment of grants for  
 6 projects for which applications approved under section 392  
 7 have been submitted under such section within one year after  
 8 the last day of such fiscal year or period."

9 CRITERIA FOR BROADCAST FACILITIES CONSTRUCTION

10 SEC. 4. (a) Section 392 (a) (1) of the Communications  
 11 Act of 1934 is amended by striking out clause (C) and  
 12 inserting in lieu thereof "(C) a public or private nonprofit  
 13 college or university or other educational or cultural institu-  
 14 tion which is affiliated with an eligible college or university,".

15 (b) Section 392 (d) of such Act is amended to read  
 16 as follows:

17 "(d) (1) The Secretary shall base his determinations  
 18 of whether to approve applications for television grants  
 19 under this section and the amount of such grants on criteria  
 20 set forth in regulations and designed to achieve (A) a  
 21 strengthening of the capability of existing noncommercial  
 22 educational television stations to provide local services; (B)  
 23 the adaptation of existing noncommercial educational tele-  
 24 vision facilities to broaden educational uses; and (C) ex-  
 25 tension of noncommercial educational television services,

3       “(2) The Secretary shall base his determination of  
4 whether to approve applications for radio grants under this  
5 section and the amount of such grants on criteria set forth in  
6 regulations and designed to achieve (A) extension of non-  
7 commercial educational radio services with due consideration  
8 to equitable geographic coverage throughout the United  
9 States; (B) a strengthening of the capability of existing  
10 noncommercial educational radio stations to provide local  
11 service; and (C) the provision of multiple radio stations in  
12 major population centers to broaden services for special  
13 interest, minority, and educational uses.”;

15           SEC. 5. Section 395 of the Communications Act of 1934  
16 is amended to read as follows:

19 "Sec. 395. The Federal Communications Commission  
20 is authorized to provide such assistance in carrying out the  
21 provisions of this subpart as may be requested by the Secre-  
22 tary. The Secretary shall provide for close coordination with  
23 the Federal Communications Commission in the administra-  
24 tion of his functions under this subpart which are of interest  
25 to or affect the functions of the Commission. The Secretary  
26 shall provide for close coordination with the Corporation

1 for Public Broadcasting in the administration of his functions  
 2 under this subpart which are of interest to or affect the func-  
 3 tions of the Corporation."

#### 4 CONSTRUCTION

5 SEC. 6. Section 397 (2) of the Communications Act of  
 6 1934 is amended to read as follows:

7 " (2) The term 'construction', as applied to educational  
 8 television broadcasting facilities or educational radio broad-  
 9 casting facilities, means the acquisition and installation of  
 10 transmission and reception apparatus (including towers,  
 11 microwave equipment, boosters, translators, repeaters,  
 12 mobile equipment, video recording equipment, nonvideo  
 13 recording equipment, radio subcarrier receivers, and satellite  
 14 transceivers) necessary for television broadcasting or radio  
 15 broadcasting, as the case may be, including apparatus which  
 16 may incidentally be used for transmitting closed circuit  
 17 television or radio programs, but such term does not include  
 18 the construction or repair of structures to house such appa-  
 19 ratus. In the case of apparatus, the acquisition and installation  
 20 of which is so included, such term also includes planning  
 21 therefor."

#### 22 AUDIO RECORDING EQUIPMENT

23 SEC. 7. Section 399 (b) of the Communications Act of  
 24 1934 is amended by adding at the end thereof the following  
 25 new paragraph:

1       “(5) From amounts appropriated pursuant to section  
 2   391 after the date of enactment of this paragraph, the Sec-  
 3   retary may make a grant to any licensee of a noncommer-  
 4   cial educational broadcast station who received assistance  
 5   under this part of the full amount necessary to acquire equip-  
 6   ment to permit such licensee to comply with paragraph (1)  
 7   of this subsection.”.

#### 8                   TELECOMMUNICATIONS DEMONSTRATIONS

9       Sec. 8. The Communications Act of 1934 is amended  
 10   by adding after section 392 the following new section:

#### 11                   “TELECOMMUNICATIONS DEMONSTRATIONS

12       “Sec. 392A. (a) It is the purpose of this section to pro-  
 13   mote the development of nonbroadcast telecommunications  
 14   facilities and services for the transmission, distribution and  
 15   delivery of health, education, and public or social service  
 16   information. The Secretary is authorized, upon receipt of an  
 17   application in such form and containing such information as  
 18   he may by regulation require, to make grants to, and enter  
 19   into contracts with public and private nonprofit agencies,  
 20   organizations, and institutions for the purpose of carrying  
 21   out telecommunications demonstrations.

22       “(b) The Secretary may approve an application sub-  
 23   mitted under subsection (a) if he determines—

24       “(1) that the project for which application is made  
 25   will demonstrate innovative methods or techniques of

1 utilizing nonbroadcast telecommunications equipment or  
2 facilities to satisfy the purpose of this section;

3 “(2) that demonstrations and related activities as-  
4 sisted under this section will remain under the admin-  
5 istration and control of the applicant;

6 “(3) that the applicant has the managerial and  
7 technical capability to carry out the project for which  
8 the application is made; and

9 “(4) that the facilities and equipment acquired or  
10 developed pursuant to the application will be used sub-  
11 stantially for the transmission, distribution, and deliv-  
12 ery of health, education, or public or social service  
13 information.

14 “(c) Upon approving any application under this sec-  
15 tion with respect to any project, the Secretary shall make  
16 a grant to or enter into a contract with the applicant in an  
17 amount determined by the Secretary not to exceed the  
18 reasonable and necessary cost of such project. The Secretary  
19 shall pay such amount from the sum available therefor, in  
20 advance or by way of reimbursement, and in such install-  
21 ments consistent with established practice, as he may  
22 determine.

23 “(d) Funds made available pursuant to this section  
24 shall not be available for the construction, remodeling, or  
25 repair of structures to house the facilities or equipment ac-



1 quired or developed with such funds, except that such funds  
2 may be used for minor remodeling which is necessary for  
3 and incident to the installation of such facilities or equip-  
4 ment.

5 “(e) For purposes of this section, the term ‘nonbroad-  
6 cast telecommunications facilities’ includes, but is not limited  
7 to, cable television systems, communications satellite systems  
8 and related terminal equipment, and other methods of trans-  
9 mitting, emitting, or receiving images and sounds or intel-  
10 ligence by means of wire, radio, optical, electromagnetic or  
11 other means.

12 “(f) The funding of any demonstration pursuant to this  
13 section shall continue for not more than three years from the  
14 date of the original grant or contract.

15 “(g) The Secretary shall require that the recipient of  
16 a grant or contract under this section submit a summary and  
17 evaluation of the results of the demonstration at least an-  
18 nually for each year in which funds are received pursuant to  
19 this section.

20 “(h) There are authorized to be appropriated \$1,000,-  
21 000 for the fiscal year ending June 30, 1976, and \$250,000  
22 for the period July 1, 1976, through September 30, 1976, to  
23 carry out the provisions of this section. Sums appropriated  
24 under this subsection for any fiscal year or period shall remain

- 1 available for payment of grants or contracts for projects for
- 2 which applications approved under this section have been
- 3 submitted within one year after the last day of such fiscal
- 4 year or period.

Passed the House of Representatives January 20, 1976.

Attest:

EDMUND L. HENSHAW, JR.,

*Clerk.*

Calendar No. 772

94TH CONGRESS  
2D SESSION

**H. R. 9630**

[Report No. 94-813]

---

## AN ACT

---

To extend the Educational Broadcasting Facilities Program and to provide authority for the support of demonstrations in telecommunications technologies for the distribution of health, education, and public or social service information, and for other purposes.

---

JANUARY 21, 1976

Read twice and referred to the Committee on  
Commerce

MAY 11, 1976

Reported with an amendment